

#9

DAC/

PTO/SB/64 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

12294 B

First named inventor: Chi Yuan-Chin

Application No.: 09/855044

Filed: 05/15/2001

Title: RATCHET TOOL

**RECEIVED**  
**SEP 14 2004**  
**OFFICE OF PETITIONS**

Art Unit: 3723

Examiner: THOMAS, DAVID B.

Attention: Office of Petitions

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a  
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the  
expiration date of the period set for reply in the Office notice or action plus an extensions of time  
actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**☒ Small entity-fee \$ 665.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(m))**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in

the form of \_\_\_\_\_ (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

B. The issue fee and publication fee (if required) of \$ 965.00.

- ☒ has been paid previously on April 1, 2003 (see copy of canceled  
check #15924 attached  
hereto)
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the  
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete,  
including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments  
on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent  
and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS  
ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

09/10/2004 WABDELRI 00000008 09855044

665.00 0P

01 FC:2453

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**3. Terminal disclaimer with disclaimer fee**

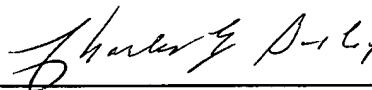
- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

**4. STATEMENT:** The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

September 7, 2004

Date



Signature

Telephone

Number: (212) 791-7200

Charles E. Baxley (USPTO Reg. 20,149)

Typed or printed name

90 John Street, Suite 309

Address

New York, NY 10038

Address

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: \_\_\_\_\_

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

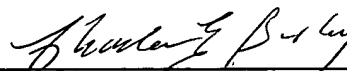
I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

September 7, 2004

Date



Signature

CHARLES E. BAXLEY

Type or printed name of person signing certificate

CHARLES E. BAXLEY PC

59 JOHN ST. FLR5  
NEW YORK, NY 10038-3709

180236755 102 4002 21 041403

DATE April 1, 2003

15924

PAY TO THE ORDER OF Commissioner of Patent and Trademark Office

\$ 1,415.00

One Thousand Four Hundred Fifteen and 00/100

DOLLARS

**citibank**

CITIBANK, N.A. BR. #1  
120 BROADWAY  
NEW YORK, NY 10271

FOR #12294 B (U.D. International)

⑈015924⑈ ⑈021000089⑈ ⑈04096169⑈

⑈0000141500⑈

PAID CITIBANK 04/14/03  
CCPD #6537  
4006 180236755 041403



0560011184  
FIRST VIRGINIA BANK  
04112003 FALLS CHURCH, VA

0213252

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE  
RESERVED FOR FINANCIAL INSTITUTION USE \*

PATENT AND TRADEMARK OFFICE  
13-10-0001  
04-10-2003  
FOR CREDIT TO THE  
U.S. TREASURY



12294 B  
CEB:ler

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

SEP 14 2004

OFFICE OF PETITIONS

Applicant(s) : Chi Yuan-Chin  
Serial No. : 09/855,044  
Filed : May 15, 2001  
For : RATCHET TOOL  
Art Unit : 3723  
Examiner : David B. THOMAS

Transmitted herewith are the following:

- X PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b) w/CERTIFICATE OF MAILING;
- X Copy of canceled check 15924; and
- X ACKNOWLEDGMENT POSTCARD.

- 
- X The Commissioner is authorized to charge any additional fees required, or to credit any overpayment to Account No. 02-1435. A duplicate copy of this sheet is enclosed.
  - X A check in the amount of \$ 665.00 is enclosed.
  - X I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: ATTENTION: MAIL STOP - PETITIONS, Office of Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313 - 1450 on September 7, 2004

Respectfully,

CHARLES E. BAXLEY  
Attorney of Record  
USPTO REG. 20, 149

Dated: September 7, 2004  
CHARLES E. BAXLEY, ESQUIRE  
Hart, Baxley, Daniels & Holton  
90 John Street, Third Floor  
New York, New York 10038  
Telephone (212) 791-7200  
Facsimile (212) 791-7276  
E-mail ceb@hartbaxley.com